

indicating final ownership and responsibility for maintaining equipment furnished by utility.

(12) Statement of the type of special construction commonly requested by customers which the utility allows to be connected, and terms upon which such construction will be permitted, with due provision for the avoidance of unjust discrimination as between customers who request special construction and those who do not. This applies, for example, to a case where a customer desires underground service in overhead territory.

(13) Rules with which prospective customers must comply as a condition of receiving service, and the terms of contracts required.

(14) Rules governing the establishment of credit by customers for payment of service bills.

(15) Rules governing the procedure followed in disconnecting and reconnecting service.

(16) Notice by customer required for having service discontinued.

(17) Rules covering temporary, emergency, auxiliary, and stand-by service.

(18) Rules covering the type of equipment which may or may not be connected, including rules such as those requiring demand-limiting devices or power-factor corrective equipment.

PSC 113.115 Forms to be filed. On or before May 1 of each year, all public utilities rendering electric service in Wisconsin who report to the federal power commission on form 12-12A or form 12D shall supply a copy of such report to the public service commission.

History: Cr. Register, March, 1963, No. 87, eff. 4-1-63.

PSC 113.12 Information available to customers. (1) Each utility shall have available in its offices where payments are received, copies of its rates and rules applicable to the locality. The rates and rules shall be available for customer inspection, and reasonable notice as to their availability shall be provided to customers.

(2) Each electric utility, for every municipality in which it serves shall provide in the respective telephone directories a telephone listing by which the utility can be notified during a 24-hour day of any utility service deficiency or emergency which may exist.

(3) Where a second language is common in a particular area served by the utility and so identified by the commission, all rules pertaining to billing and credit shall be available upon customer request, for distribution in English and that second language in every business office of the utility in that area accessible to the public and where customer payments are received.

(4) Each utility shall provide written notice to its residential customers annually, and a written notice to all new residential customers, at a minimum, of the rules on deposits, payment options including deferred payment agreements and budget billing, disconnection and dispute procedures; of the availability of information on energy conservation practices, of the availability of a clear, concise record of the customer's actual

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electric consumption (or actual degree-day adjusted electric consumption) for each billing period during the prior 12 months or the actual number of months that the customer has lived at that location if less than 12 months, and of the availability of agencies or programs which may provide financial aid assistance or counseling; and contain a reply procedure to allow customers an opportunity to advise the utility of any special circumstances, such as the presence of infants or elderly persons or the use of human life-sustaining equipment, and to advise the utility to contact a specific third party agency or individual prior to any disconnection action being taken.

History: 1-2-56; emerg. cr. (3) and (4), eff. 1-21-76; cr. (3) and (4), Register, January, 1976, No. 229, eff. 2-1-76; r. and recr. (1), r. (2), renum. (3) and (4) to be (2) and (3), cr. (4), Register, March, 1979, No. 279, eff. 4-1-79; am. (4), Register, October, 1980, No. 298, eff. 11-1-80.

PSC 113.131 Deposits. (1) **NEW RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of new service unless a customer has an outstanding account balance with the utility which accrued within the last 6 years, and which at the time of the request for new service remains outstanding and not in dispute. (See PSC 113.134).

(2) **EXISTING RESIDENTIAL SERVICE.** A utility shall not require a cash deposit or other guarantee as a condition of continued service unless either or both of the following circumstances apply.

(a) The utility has shut off or discontinued the service of the customer within the last 12-month period for violation of the utility's filed rules or for nonpayment of a delinquent service account not currently in dispute.

(b) Subsequent credit information indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under this section.

(3) **NEW COMMERCIAL SERVICE.** (a) If the credit of an applicant for service has not been established satisfactorily to the utility, the applicant may be required to deposit a sum not exceeding the estimated gross bills for any 2 consecutive billing periods selected by the utility.

(b) In determining whether an applicant for service has satisfactorily established its credit, the utility shall consider the following factors before requiring a security deposit.

1. Credit information from credit reporting services;
2. Letter of credit from a financial institution or another utility;
3. Applicant's business characteristics, such as type of business, length of time the applicant has operated, the applicant's business experience and knowledge, and estimated size of the applicant's bills;
4. Assets of the business;
5. The financial condition of the business, as indicated in a financial statement.

(c) The utility shall notify the applicant within 30 days of the request for service as to whether a deposit will be required. The 30-day period shall begin from the date the applicant provides all requested relevant

information to the utility. If no request for a deposit is made within this period, no deposit shall be required, except under the provisions of sub. (4) (a). If a request for a deposit is made, the applicant must be given at least 20 days to provide payment, or guarantee, or to establish an installment payment agreement.

(d) The deposit of a commercial customer shall be refunded after 24 consecutive months of prompt payment. Payment is considered prompt if made prior to notice of disconnection for nonpayment not in dispute.

(4) **EXISTING COMMERCIAL SERVICE.** (a) An existing commercial customer may be required to furnish a deposit if the customer has not made prompt payment of all bills within the last 24 consecutive months.

(b) When the utility requests a deposit of an existing commercial customer, the customer shall have 20 days to provide the deposit, guarantee, or to establish an installment payment agreement.

(c) Refund of the deposit of an existing commercial customer shall be made in accordance with s. PSC 113.131 (3) (d).

(6) **CONDITIONS OF DEPOSIT.** The maximum deposit for a new commercial or residential account shall not exceed the highest estimated gross bill for any 2 consecutive billing periods selected by the utility.

The maximum deposit for an existing commercial or residential account shall not exceed the highest actual gross bill for any 2 consecutive months within the preceding 12 month review period as determined by the utility.

(6) **INTEREST.** Deposits for commercial or residential service shall bear interest of at least 8% payable from the date of deposit to the date of refund or discontinuance of service, whichever is earlier.

(7) **REVIEW.** The utility shall review the payment record of each residential utility customer with a deposit on file at 12-month intervals. The utility shall not require or continue to require a cash deposit unless a deposit is required under the provisions of s. PSC 113.131 (2).

(8) **REFUND.** Any deposit or portion thereof refunded to a commercial or residential customer shall be refunded by check unless both the customer and the utility agree to a credit on the regular billing, or unless sub. (9) applies.

(9) **ACCRUED INTEREST.** Upon termination of service, the deposit, with accrued interest, shall be credited to the final bill and the balance shall be returned promptly to the customer.

(10) **WRITTEN EXPLANATION.** A utility shall not require any commercial or residential customer to pay a deposit or establish a guarantee in lieu of deposit without explaining, in writing if requested, why that deposit is being required.

(11) **REFUSAL OF SERVICE.** Commercial or residential service may be refused or disconnected for failure to pay a deposit request subject to the rules pertaining to disconnection and refusal of service. (Wis. Adm. Code section PSC 113.132).

(12) **GUARANTEE TERMS AND CONDITIONS.** (a) The utility may accept, in lieu of a cash deposit, a contract signed by a guarantor satisfactory to

the utility whereby payment of a specified sum not exceeding the cash deposit requirement is guaranteed. The term of such contract shall be for no longer than 2 years, but shall automatically terminate after the commercial or residential customer has closed its account with the utility, or at the guarantor's request upon 30 days' written notice to the utility.

(b) Upon termination of a guarantee contract or whenever the utility deems same insufficient as to amount of surety, a cash deposit or a new or additional guarantee may be required upon reasonable 20-day written notice to the customer. The service of any customer who fails to comply with these requirements may be disconnected upon 8 days' written notice, subject to sub. (13) for a residential customer or the establishment of an installment payment agreement for a commercial customer.

(c) The utility shall mail the guarantor copies of all disconnect notices sent to the customer whose account he has guaranteed unless the guarantor waives such notice in writing.

(13) **DEFERRED PAYMENT.** (a) In lieu of cash deposit or guarantee, an applicant for new residential service who has an outstanding account accrued within the last 6 years with the same utility shall have the right to receive service from that utility under a deferred payment agreement as defined in Wis. Adm. Code s. PSC 113.133 for the outstanding account.

(b) A commercial customer or applicant for commercial service of which a deposit is requested shall have the right to receive service under an installment payment agreement.

(14) **APPLICABILITY.** The rules in subs. (12) and (13) of this section are not applicable to deposits or guarantees made in connection with the financing of extensions or other equipment.

History: Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (3) to (14), Register, November, 1980, No. 299, eff. 12-1-80.

PSC 113.132 Disconnection and refusal of service. (1) (a) In no circumstances will the cumulative time before notice of disconnection be less than 20 days after the date of issuance of the bill and an account may be deemed delinquent for the purpose of disconnection after such period has elapsed.

(b) At least 8 calendar days prior to disconnection, the utility shall give written disconnect notice upon a form which must be in the tariff of the utility filed with the public service commission and which conforms to the requirements of s. PSC 113.132 (9) unless excepted elsewhere.

(c) When a customer, either directly or through the public service commission, disputes a disconnection notice the utility shall investigate any disputed issue and shall attempt to resolve that issue by negotiation. During this investigation and negotiation, utility service shall not be disconnected over this matter.

(d) If a disputed issue cannot be resolved pursuant to Wis. Adm. Code s. PSC 113.134 (1), the utility shall inform the customer of the right to contact the public service commission.

(2) Utility service may be disconnected for any of the following reasons, provided that if the commission declares a winter emergency to be

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(2) Utility service may be disconnected for any of the following reasons, provided that if the commission declares a winter emergency to be in effect, there must be reasonable grounds to believe that such disconnection will not, under the circumstances, endanger human health or life:

(a) Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement. (See PSC 113.133).

(b) Violation of the utility's rules pertaining to the use of service in a manner which interferes with the service of others or to the operation of non-standard equipment, if the customer has first been notified and provided with reasonable opportunity to remedy the situation.

(c) Failure to comply with deposit or guarantee arrangements as specified in Wis. Adm. Code s. PSC 113.131.

(d) Diversion of service around the meter.

(3) A public utility may disconnect utility service without notice where a dangerous condition exists for as long as the condition exists.

(4) Service may be denied to any customer for failure to comply with applicable requirements of this section, or of the utility's rules, or with s. 167.16, Stats.; or if the customer proposes to use a device that is not so designed that interference with communication and signal services is reasonably minimized.

(5) A utility is not required to furnish service under conditions requiring operation in parallel with generating equipment connected to the customer's system if such operation is hazardous or may interfere with its own operations or service to other customers or with service furnished by others. The utility may specify requirements as to connection and operation as a condition of rendering service under such circumstances.

(6) Utility service may not be disconnected or refused for any of the following reasons:

(a) Nonpayment of a delinquent account over 6 months old where collection efforts have not been made within that period of time unless the passage of additional time results from other provisions herein or from good faith negotiations or arrangements made with the customer.

(b) Delinquency in payment for service by a previous occupant of the premises to be served other than a member of the same household residing at the same premises.

(c) Failure to pay for merchandise or charges for non-utility service billed by the utility.

(d) Failure to pay for a different type or class of utility service.

(e) Failure to pay the account of another customer as guarantor thereof.

(f) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any misapplication of rates.

(g) Failure to pay charges arising from any underbilling occurring more than one year prior to the current billing and due to any faulty metering.

(h) Failure to pay an estimated bill other than a bill rendered pursuant to an approved bimonthly meter reading plan, unless the customer upon request refuses to permit the reading of the meter during normal business hours.

(7) A utility shall not disconnect any residential service without notifying the county department of health and social services at least 5 calendar days prior to the scheduled disconnection, if the customer or responsible person has made a written request for this procedure to the utility. The customer shall be apprised of this right upon application for service.

(8) Notwithstanding any other provision of this section, a utility may not disconnect service to a residential customer if disconnection will aggravate an existing medical emergency of the customer, a member of his family or other permanent resident of the premises where service is rendered and if the customer conforms to the procedures described in par. (a) below.

(a) A utility shall postpone the disconnection of service for 21 days to enable the customer to arrange for payment, if the customer produces a licensed Wisconsin physician's statement or notice from a public health or social services official which identifies the medical emergency and specifies the period of time during which disconnection will aggravate the circumstances. The postponement may be extended once by renewal of the certificate or notice. No further extension of time shall be granted except upon a showing by the customer of the existence of extraordinary circumstances and further that he has exercised due diligence in meeting the emergency as evidenced in part by close and continuous communication with the utility.

(b) During the period service is continued under the provisions of this subsection, the customer shall be responsible for the cost of residential utility service. However, no action to disconnect that service will be undertaken until expiration of the period of continued service.

(c) If there is a dispute concerning an alleged existing medical emergency, either party shall have the right to an informal review by the public service commission staff. Pending a decision after informal review, residential utility service shall be continued provided that the resident has submitted a statement of notice as set forth in par. (a) of this subsection.

(9) (a) A utility shall not disconnect service unless written notice by first class mail is sent to the customer or personally served at least 8 calendar days prior to the first date of the proposed disconnection. Notice shall be sent to the account name and address, and to the address where service is provided, if different. If disconnection is not accomplished on or before the 15th day after the first notice date, a subsequent notice must be left on the premises not less than 24 hours nor more than 48 hours prior to disconnection.

(b) The utility shall make a reasonable effort to have a personal or telephone contact with the customer prior to disconnection.

(c) Disconnection notice shall be given upon a form approved by the commission, and shall contain the following information:

1. The name and address of the customer and the address of the service, if different.

2. A statement of the reason (s) for the proposed disconnection of service and that disconnection will occur if the account is not paid, or if arrangement is not made to pay the account under deferred agreement, or if other suitable arrangements are not made, or if equipment changes are not made. If disconnection of service is to be made for default on a deferred payment agreement, the notice shall include an explanation of the acts of the customer which are considered to constitute default.

3. A statement that the customer should communicate immediately upon receipt of the notice with the utility's designated office, listing a telephone number, if he disputes the notice of delinquent account, if he wishes to negotiate a deferred payment agreement as an alternative to disconnection, if any resident is seriously ill, or if there are other extenuating circumstances.

4. A statement that residential utility service will be continued for up to 21 days during serious illness if the account holder submits a statement or notice pursuant to Wis. Adm. Code s. PSC 113.132 (8).

5. A statement that the customer may appeal to the public service commission staff in the event that the grounds for the proposed disconnection or the amount of any disagreement remains in dispute after the customer has pursued the available remedies with the utility.

(10) (a) Service shall not be disconnected on a day, or on a day immediately preceding a day, when the business offices of the utility are not available to the public for the purpose of transacting all business matters unless the utility provides personnel which are readily available to the customer 24 hours per day to evaluate, negotiate or otherwise consider the customer's objection to the disconnection as provided under Wis. Adm. Code s. PSC 113.134, and proper service personnel are readily available to restore service 24 hours per day.

(b) If a residential service which has been disconnected has not been restored to service within 24 hours after the time of the disconnection, the utility shall inform the local law enforcement department of the billing name and the service address and that threat to health and life might exist to persons occupying the premises.

History: Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (a) and (6) (a), Register, December, 1975, No. 240, eff. 1-1-76; emerg. am. (2) (a), eff. 1-19-76; emerg. am. (2), eff. 12-6-77; am. (2) (intro.), Register, March, 1979, No. 279, eff. 4-1-79.

PSC 113.133 Deferred payment agreement. The utility is required to offer deferred payment agreements only to residential accounts.

(1) Every deferred payment agreement entered into due to the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays a reasonable amount of the outstanding bill and agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid.

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(2) For purposes of determining reasonableness under these rules the parties shall consider the:

- (a) Size of the delinquent account.
- (b) Customer's ability to pay.
- (c) Customer's payment history.
- (d) Time that the debt has been outstanding.
- (e) Reasons why debt has been outstanding.
- (f) Any other relevant factors concerning the circumstances of the customer.

(3) A deferred payment agreement offered by a utility shall state immediately preceding the space provided for the customer's signature and in bold face print at least 2 typesizes larger than any other used thereon, that "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. YOU HAVE THE RIGHT TO MAKE A COUNTER OFFER AND, IF IT IS REJECTED, YOU HAVE THE RIGHT TO APPEAL THIS PROPOSED AGREEMENT TO THE PUBLIC SERVICE COMMISSION OF WISCONSIN, DURING WHICH TIME THE UTILITY MAY NOT DISCONNECT YOUR SERVICE. THIS DOES NOT RELIEVE YOU FROM THE OBLIGATION TO PAY BILLS THAT ARE INCURRED AFTER COMMENCEMENT OF DISPUTE PROCEDURES. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."

(4) A deferred payment agreement shall not include a finance charge.

(5) If an applicant for utility service has not fulfilled terms of a deferred payment agreement, the utility shall have the right to disconnect pursuant to disconnection of service rules (PSC 113.132) and under such circumstances it shall not be required to offer subsequent negotiation of a deferred payment agreement prior to disconnection.

(6) Payments made by a customer in compliance with a deferred payment agreement shall first be considered made in payment of the previous account balance with any remainder credited to the current bill.

(7) If a deferred payment agreement cannot be reached, and if the customer's proposed deferred payment agreement is unacceptable to the utility, the utility shall inform the customer in writing why the customer's offer was not acceptable.

History: Emerg. cr. eff. 1-21-75; cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (3) and (6), cr. (7), Register, March, 1979, No. 279, eff. 4-1-79.

PSC 113.134 Dispute procedures. (1) Whenever the customer disputes the utility's request for a deposit or other guarantee, or advises the utility's designated office that all or any part of any billing as rendered is in dispute, or that any matter related to the disconnection or refusal of service is in dispute, the utility shall:

- (a) Investigate the dispute promptly and completely.

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(b) Advise the customer of the results of the investigation.

(c) Attempt to resolve the dispute.

(d) Provide the opportunity for the customer to enter into a deferred payment agreement when applicable in order to settle the dispute.

(2) After the customer has pursued the available remedies with the utility, he may request that the public service commission staff informally review the disputed issue and recommend terms of settlement.

(a) A request for informal review may be made in any reasonable manner such as by written notice or telephoned request directed to the public service commission.

(b) There must be at least 5 days between the date the commission staff mails written notice of terms of settlement after informal review, and any subsequent disconnection.

(3) Any party to the dispute after informal review may make a written request for a formal review by the commission. Such request must be made within 5 days of the date the commission staff mails written notice of terms of settlement after informal review.

(a) Within 10 days from the time such a request is made, the commission shall decide on the basis of the information it has received from the staff whether to hold hearing on the matter and shall inform both parties of its decision.

(b) If the commission decides to conduct formal hearing on the dispute, the customer shall be required to pay 50% of the bill or deposit in dispute to the utility or post bond for that amount on or before date of hearing. Such payment or bond may be waived by the commission for good cause shown. Failure to pay the specified amount before hearing will constitute waiver by the customer.

(c) Such a hearing shall conform to the procedures described in ss. 196.26 to 196.34, Stats.

(d) Any such hearing shall be held not less than 10 days following a notice of hearing and a decision thereon shall be rendered following the conclusion of the hearing.

(4) Utility service shall not be disconnected or refused because of any disputed matter while the disputed matter is being pursued in accordance with the provisions of this section. In no way does this relieve the customer from obligation of paying charges which are not in dispute.

History: Emerg. cr. eff. 1-21-76; cr. Register, January, 1976, No. 229, eff. 2-1-76; am. (1), (3) (b) and (4), Register, December, 1976, No. 240, eff. 1-1-76; am. (1), Register, March, 1979, No. 279, eff. 4-1-79.

PSC 113.14 Limiting connected load. If the utility maintains a rate based on connected load, provision shall be made in its rules whereby the customer may arrange his load or wiring in such manner as is reasonably acceptable to the utility, whether by the use of double-throw switches or such other devices as may be approved by the utility, so that only a portion of the load may be served at one time and whereby, in such cases, the connected load to be used for the computation of charges shall be the largest load which can be served at any one time.

PART III
CHARGES AND BILLING

PSC 113.15 Meter readings and billing periods. Readings of all meters used for determining charges to customers shall be scheduled monthly, bimonthly, quarterly, or semiannually. An effort shall be made to read meters on corresponding days of each meter-reading period. The meter-reading date may be advanced or postponed not more than 5 days without adjustment of the billing for the period. Bills for service shall be rendered within 40 days from the reading of the meter except as may be otherwise specifically authorized by the commission. The utility may permit the customer to supply the meter readings on a form supplied by the utility, provided a utility representative reads the meter at least once each 6 months and when there is a change of customer.

PSC 113.16 Billing. (1) (a) Each bill, including the customer's receipt, provided by the following investor-owned utilities:

- Lake Superior District Power Company
- Madison Gas and Electric Company
- Northern States Power Company
- Superior Water, Light and Power Company
- Wisconsin Electric Power Company
- Wisconsin Power and Light Company
- Wisconsin Public Service Corporation

shall show for each meter the following information:

1. The customer name, billing address and service address (if different from the billing address).
2. For residential customers in multi-unit buildings, current meter identification information or number and account number.
3. The present and last preceding meter readings.
4. The present and last preceding meter reading dates.
5. The next scheduled meter reading date.
6. The number of days in the billing period.
7. The number of units consumed.
8. The class of service with clear explanation of codes and abbreviations.
9. The rate schedule under which the bill is calculated including the itemized calculations of the rate schedule component including, but not limited to, such items as customer charge, energy blocks, demand charges, minimum bills, and all other billing factors necessary for the customer to check the calculation of the bill.
10. Clear itemized adjustment clause bill calculation.
11. Amount subject to tax, tax rate, and tax billed.

12. Clear itemization of the amount of the bill for the present billing period, any unpaid balance from previous billing periods and any late payment charges.

13. Clear itemization of other utility charges and credits.

14. A statement will be printed on each bill indicating to the customer that the utility will, upon customer request, provide the information and assistance necessary for the customer to evaluate fuel consumption and conservation. Upon receiving such request, the utility shall provide consumption and degree day information by billing periods for at least the last year and information and instructions needed by the customer to make consumption comparisons and evaluate his or her conservation efforts. In order to assist customers in their conservation monitoring, the utility will provide degree day information with each monthly bill.

15. Bills rendered without an actual meter reading shall be specifically marked as estimated.

16. Each utility subject to the rules in (1) (a) will file a plan for implementation as soon as possible and not later than 60 days from date of publication. The plans shall include a list of uniform bill codes developed by the utilities, to be approved by the commission.

(b) Each bill including the customer's receipt rendered by electric utilities not included in par. (a), shall show the present and last preceding meter readings, the date of the present reading, the number of units consumed, the class of service if other than residential, and the rate schedule under which the bill is calculated. In lieu of including the rate schedule on the bill the utility may, whenever a rate change becomes effective and at least twice a year, supply each customer with the schedule of rates at which the bills are calculated and any other rates that might be applicable. Bills rendered at rates requiring the measurement of a number of different factors shall show all data necessary for the customer to check the calculation of a bill. All monthly adjustment clause factors necessary for a customer to check the calculation of the bill shall be included on the monthly bill. Minimum and estimated bills shall be distinctly marked as such. Estimated bills are bills rendered without actual meter readings.

(c) Merchandise and service repair work charges shall not be included on utility service bills.

(d) If the utility is authorized to make late payment charges, such charges shall comply with the following requirements.

1. The bill shall clearly indicate the amount of the late payment charge and the date after which the late payment charge shall be applied.

2. Late payment charges shall be applied no sooner than 20 days after the date of issuance of the bill.

3. The amount of the late payment charge shall be 3% of the bill, except a minimum charge of 30¢ shall apply.

4. Late payment charges shall be applied to all customer classes and rate classifications.

5. The utility shall not waive any properly applied late payment charges.

6. A late payment charge shall be applied only once to any given amount outstanding.

(2) (a) If the billing period is longer or shorter than allowed in section PSC 113.15, the bill shall be prorated on a daily basis unless other provision is made in the utility's filed rules.

(b) If the utility cannot read the meter at the end of each billing period, or if the customer requests it, the utility shall leave meter-reading forms at the premises for completion by the customer. If no form is left or the form is not returned in time for the billing operation, a minimum or estimated bill may be rendered. In cases of emergency, the utility may render minimum or estimated (average) bills without reading meters or supplying meter-reading forms to customers. Only in unusual cases or when approval is obtained from the customer shall more than 3 consecutive estimated bills be rendered.

(c) If meter reading is not scheduled on a monthly basis, the utility shall supply customers with meter-reading forms for the periods when the meter is not scheduled to be read by the utility. Customers shall not be required to provide these meter readings. If the customer informs the utility he or she does not desire to supply a reading or if the form is not returned in time for the billing operation, a minimum or estimated bill may be rendered.

(d) When an actual meter reading indicates that a previous estimated bill was abnormally high or low the utility shall calculate the bill for the entire period as if use of service was normally distributed throughout the period. The previous estimated charge shall be deducted from the re-computed total. If there is evidence to indicate that actual use was not uniform throughout the period, the billing shall be adjusted according to available information.

(3) (a) Credits due a customer because of meter inaccuracies, errors in billing, or misapplication of rates shall be shown separately and identified.

(b) The original billing rendered because of meter inaccuracy, or errors in billing, shall be separated from the regular bill and the charges explained in detail.

(4) Each bill for service shall be computed at the proper filed rate and the rate used shall be the cheapest applicable rate based on 12 months' use of service. If the customer's use is such that it is difficult to be certain what rate should be applied until there has been 12 months' use, the billing shall be adjusted on the first bill following the end of the 12 month use period.

(a) This rule does not prohibit contracts having terms longer than 1 year but does require that the rates paid under such contracts be the utility's lowest applicable rates on file with the commission.

(b) This rule applies to service as it is being supplied. If the customer could reduce his or her bills by installing equipment, combining or separating services, he or she should be notified as required by s. PSC 113.16

(4) (d), but no change in rates shall be made until the customer makes the necessary changes.

(c) Where a customer is eligible to take service under more than one rate schedule, the utility shall inform the customer how to select the rate that results in the lowest cost of service, based on 12 months service and on the information at hand.

(d) The customer shall be informed of the selection of a rate every 12 months, whenever there is a change in rates that would affect the customer, and at any other time the customer so requests. The customer shall be notified if any combination of service, change in voltage of delivery, or the installation of any equipment will result in a lower cost of service.

(5) Each utility shall offer a budget payment plan to all prospective and existing residential customers and to all commercial accounts for which the primary purpose of the service is to provide for residential living, subject to the following minimum requirements.

(a) A budget payment plan tariff shall be on file with the public service commission, applicable only to charges for utility services under PSC jurisdiction.

(b) A budget payment plan may be established at any time of the year. The budget amount shall be calculated on the basis of the estimated consumption and estimated applicable rates through the end of the budget year. If the budget year is a fixed year, then prospective and existing customers requesting a budget payment plan after the start of the fixed year will have their initial monthly budget amount determined on the basis of the number of months remaining in the current budget year.

(c) An applicant for a budget plan shall be informed at the time of application and an existing budget plan customer on at least a quarterly basis, that budget amounts shall be reviewed and changed every 6 months if necessary, in order to reflect current circumstances. Adjustments to the budget amount shall be made with the objective that the customer's underbilled or overbilled balance at the end of the budget year shall be less than one month's budget amount.

(d) Customers on the budget payment plan shall be notified of adjustments by means of a bill insert, a message printed on the bill itself, or both. When an adjustment is made to a budget payment amount, the customer shall be adequately informed of the adjustment at the same time the bill containing the adjustment is rendered.

(e) Customers who have arrearages shall be allowed to establish a budget payment plan by signing a deferred payment agreement for the arrears, according to the provisions of s. PSC 113.133.

Note: Provisions of PSC 113.16 (5) (e) have been incorporated into PSC 113.16 (6) (c) and (d).

(f) Budget payment plans shall be subject to the late payment charge provisions of s. PSC 113.16 (1) (b). In addition, if a budget payment is not paid the customer shall be appropriately notified with the next billing. If proper payment is not received subsequent to this notification, the next regular billing may effectuate the removal of the customer from the budget plan and reflect the appropriate amount due.

(g) At the end of a budget year, if an underbilled or overbilled balance exists in the account, the balance shall be handled as follows:

1. A customer's debit balance will be paid in full or, at the customer's option, on a deferred basis.

2. A customer's credit balance will be applied against the customer's account or, at the customer's option, a refund shall be made.

History: 1-2-66; r. and recr. (1), Register, August, 1976, No. 248, eff. 9-1-76; am. Register, March, 1979, No. 279, eff. 4-1-79; am. (1), Register, October, 1980, No. 298, eff. 11-1-80; am. (5), Register, November, 1980, No. 299, eff. 12-1-80.

PSC 113.17 Adjustment of bills for metering inaccuracies. (1) Whenever a meter creeps or whenever a varhour meter or watthour meter installation, with or without pulsing devices and recording equipment, is found upon test to have an average error of more than 2% from 100%, or a demand metering installation more than 1.5% plus the errors allowed in section PSC 113.41 from 100%, a recalculation of bills for service shall be made for the period of inaccuracy. The recalculation shall be made on the basis that the service meter should be 100% accurate with respect to the working test standard.

Note: (See PSC 113.436 Determination of average meter error.)

(2) (a) If the period of inaccuracy cannot be determined, it shall be assumed that the metering equipment has become inaccurate at a uniform rate since it was installed or last tested except as otherwise provided in (b) and (c) below.

(b) Recalculation of bills shall be on the basis of actual bills except that if the monthly consumption has been reasonably uniform, averaged less than 500 kW hrs. per month and involves no billings other than for kW hrs., the recalculation of bills may be based on the average monthly consumption and the inaccuracy may be assumed to have existed for a period equal to one-half the time elapsed since the meter was installed or since the last previous test, whichever is later.

(c) The error in registration due to "creep" shall be calculated by timing the rate of "creeping" and assuming that this creeping affected the registration of the meter for 25% of the time since the last test or since the meter was installed.

(d) When the average error cannot be determined by test because of failure of part or all of the metering equipment, it shall be permissible to use the registration of check-metering installations, if any, or to estimate the quantity of energy consumed based on available data.

(3) If the recalculated bills indicate that more than \$1 is due an existing customer or \$2 is due a person no longer a customer of the utility, the full amount of the calculated difference between the amount paid and the recalculated amount shall be refunded to the customer. The refund to an existing customer may be in cash or as credit on a bill. If a refund is due a person no longer a customer of the utility, a notice shall be mailed to the last known address and the utility shall upon demand made within 3 months thereafter refund the amount due.

(4) If the recalculated bills indicate that more than \$10 is due, the utility may bill the customer for the amount due. For residential cus-

tomers the period of backbilling shall not exceed 24 months unless there is evidence of fraud or deception.

(5) A classified record shall be kept of the number and amount of refunds and charges made because of inaccurate meters, misapplication of rates, and erroneous billing. The record for a calendar year shall be submitted to the commission by April 1 of the following year.

History: 1-2-56; am. (5), Register, October, 1965, No. 118, eff. 11-1-65; am. Register, February, 1978, No. 266, eff. 3-1-78.

PSC 113.18 Billings for grounds. Subject to the utility's rules setting forth the method of determining a reduced rate herein authorized, if an accidental ground is found on a customer's wiring or equipment, the utility may estimate the kilowatt-hours so lost and bill for them at a reduced rate not less than the generated or purchase cost of the energy, but no such adjustment shall be made for energy supplied after the customer has been notified and has had an opportunity to correct the condition. Any demand (kilowatt) caused by an accidental ground may be billed at a rate lower than that filed for the class of service involved. The utility shall notify the customer of the ground whenever it is found or suspected.

PART IV

UTILITY RECORDS AND INTERRUPTIONS OF SERVICE

(See also sections PSC 113.29, 113.42, 113.43 and 113.45)

PSC 113.19 Employees authorized to enter customers' premises. The utility shall keep a record of employees authorized pursuant to s. 196.171, Stats., to enter customers' premises.

PSC 113.20 Maps and diagrams. Each utility shall have record systems (maps, records, diagrams, drawings or computer display systems) showing the location of its property, in sufficient detail so that the adequacy of service to existing customers may be checked and facilities located.

History: 1-2-56; am. Register, February, 1978, No. 266, eff. 3-1-78.

PSC 113.21 Customers' complaints. Each utility shall investigate and keep a record of complaints received by it from its customers in regard to safety, service, or rates, and the operation of its system. The record shall show the name and address of the complainant, the date and nature of the complaint, and its disposition and the date thereof. Each utility also shall document all contacts and action relative to deferred payment agreements and disputes.

History: 1-2-56; am. Register, March, 1979, No. 279, eff. 4-1-79.

PSC 113.22 Interruptions of service. (1) Each utility shall keep a record of all interruptions to service affecting the entire distribution system of any single community or an important division of a community, and include in such record the location, date and time of interruption, the duration, the approximate number of customers affected, the circuit or circuits involved, and, when known, the cause of each interruption.

(2) When complete distribution systems or portions of communities have service furnished from unattended stations, these records shall be

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kept to the extent practicable. The record of unattended stations shall show interruptions which require attention to restore service, with the estimated time of interruption. Breaker or fuse operations affecting service should also be indicated even though duration of interruption may not be known.

(3) Each utility shall notify the commission of any event described in (a), (b), (c), (d) or (e) involving bulk power supply facilities (any generating unit or electric facilities operating at a nominal voltage of 69 kV or higher):

(a) Any interruption or loss of service to customers for 15 minutes or more to aggregate firm loads in excess of 200,000 kW. Such notification shall be made by telephone as soon as practicable without unduly interfering with service restoration and, in any event, within one hour after beginning of the interruption. A confirming written report shall be submitted within 2 weeks.

(b) Any interruption or loss of service to customers for 15 minutes or more to aggregate firm loads exceeding the lesser of 100,000 kW or half of the current annual system peak load and not required to be reported under (a). Such notification shall be made by telephone no later than the beginning of the commission's next regular work day after the interruption occurred. A confirming written report shall be submitted within 2 weeks.

(c) Any decision to issue a public request for reduction in use of electricity. Notification of such decision shall be made by telephone at the time of issuing such request. A confirming written report shall be submitted within 2 weeks.

(d) Any action to reduce firm customer loads by reduction of voltage for reasons of maintaining adequacy of bulk electric power supply. Notification of such action shall be made by telephone at the time of taking such action. A confirming written report shall be submitted within 2 weeks.

(e) Any action to reduce firm customer loads by manual switching, operation of automatic load shedding devices, or any other means for